

Notice of Allowability

Application No.

10/092,755

Examiner

Steven D. Maki

Applicant(s)

SHIMADA, GO

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-9-04.
2. ☒ The allowed claim(s) is/are 1,3 and 6-9.
3. ☒ The drawings filed on 08 March 2002 and 09 September 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 111804.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Examiner's Amendment

1) An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Cancel claims 10-15.

Change title to --Apparatus for extruding unvulcanized rubber--.

In specification:

on line 4 of the replacement paragraph for the paragraph beginning on page 10 line 17, change "inner surface of a carcass" to --outer surface of a carcass--.

2) Authorization for this examiner's amendment was given in a telephone interview with Robert Miller on 11-22-04.

Reasons for Allowance

3) The following is an examiner's statement of reasons for allowance:

The prior art of record including Nakamura and Japan '426 fail to disclose, teach or suggest the specific flow dividing mechanism set forth on lines 22-30 of claim 1. In Nakamura, unvulcanized rubber C flows through a passage 4c and then flows through passage 10c-1 in a hollow sheath portion 32 of a subblock insert 30 (a flow dividing mechanism). The unvulcanized rubber C is discharged from the subblock insert 30 through a slit 35 in the hollow sheath portion 32 so as to form a rectangular conductive insert extending through the entire thickness of the tread. See figure 9 and figure 18. Unvulcanized rubber A flows through passage 4a and is then separated by subblock 30

Art Unit: 1733

into two portions having the rectangular conductive insert therebetween. For passage 4a, see figures 4 and 9. For subblock insert 30, see figures 4 and 9. Japan '426 suggests intermittently forming broad anchors on a conductive rubber insert to block its shrinkage in the thickness direction. Shaping the slit 35 so as to have broad anchors as shown in Japan '426's table at the top of column 9 allows the nonconducting rubber A to be on both sides of the intruding middle board anchor. The subblock insert 30 protrudes from the unvulcanized rubber C passage side (the second passage side) toward the unvulcanized rubber A passage (the first passage) such that subblock insert 30 extends completely across the opening of the die plate 6 so that the third passage 10c-1 is completely isolated and the flow of unvulcanized rubber C is not affected by the flow of unvulcanized rubber A through the passage 11a. Nakamura fails to teach disposing the end portion of subblock insert 30 "at a portion substantially corresponding to a widthwise intermediate portion of the opening of the die plate, the widthwise direction corresponding to a direction in which the first weir protrudes". The prior art of record whether taken singly or in combination fails to disclose, teach or suggest "one end portion of the first weir is connected to the passage-forming die and the other end portion thereof is disposed at a portion substantially corresponding to a widthwise intermediate portion of the opening of the die plate, the widthwise direction corresponding to a direction in which the first weir protrudes" (emphasis added) **in combination with** the remaining limitations of claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1733


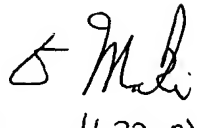
accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven D. Maki
November 22, 2004

 
STEVEN D. MAKI
PRIMARY EXAMINER
~~GROUP 1300~~
AV 1733
11-22-04